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REMARKS

Following entry of the above amendment, claims 1-29 will be pending. Claims 9, 15, and 24 have been amended to change "a metal powder" to "an elemental metal powder," to clarify distinction of the claims over the prior art. Claims 10, 11, 18, and 19 have been amended to render moot indefiniteness issues, without narrowing the claims for reasons related to patentability.

Allowable Subject Matter

The indicated allowance of claims 1-8 is noted with appreciation, as is the indication that claims 17, 20, 21, and 27-29 constitute allowable subject matter.

Indefiniteness Rejections

Claims 10-14, 18, and 19 stand rejected under 35 USC 112, second paragraph, as indefinite. In response, claims 10, 11, 18, and 19 have been amended to render moot the indefiniteness issues raised. Specifically, claim 10 has been amended to change "the material" to "the additive," removing the issue of indefiniteness of "the material." Claim 11 has been amended to change "the material" to "the sulfur-metal compound," removing the issues raised in the Action. Claims 18 and 19 have both been amended to remove the word "binder." Since the claim amendments render moot the indefiniteness rejections raised in the Action, withdrawal of the indefiniteness rejections is requested.

Prior Art Rejections

Claims 9-11, 15, 16, and 22-26 stand rejected under 35 USC 102(b) as anticipated by Skaland, U.S. Patent No. 6,102,983 ("Skaland"). Withdrawal of the rejections is respectfully requested for at least the following reasons.

Skaland discloses an inoculant for production of cast iron. Skaland discloses

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that the inoculant may be a solid mixture or an agglomerated mixture of a ferrosilicon based alloy, a metal oxide, and a metal sulphide. Col. 1, lines 49-54. For a binder, Skaland employs a sodium silicate solution, col. 4, lines 28-30, which is a chemical binder. Skaland does not disclose use of an elemental metal powder.

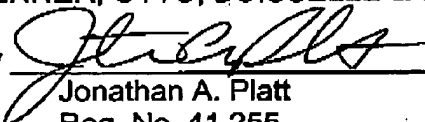
Claims 9, 15, and 24 (all of the rejected independent claims), have all been amended to positively recite an elemental metal powder. Skaland does not utilize elemental metals, and nothing in Skaland suggests use of an elemental metal powder in an additive. Thus Skaland does not teach or suggest all of the features of claims 9, 15, and 24, as amended, and claims 9-11, 15, 16, and 22-26 are therefore patentable over Skaland.

Conclusion

For at least the foregoing reasons, withdrawal of the rejections of the claims is respectfully requested, in which event this application would be in condition for allowance. Should the Examiner believe that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

No fee is believed due with the filing of this paper. In the event any fees are due in connection with the filing of this paper, the Commissioner is authorized to charge those fees to Deposit Account No. 18-0988 (Charge No. NAROP0331US).

Respectfully submitted,
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